

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD  
May 26-30, 2003**

| Date Issued | Type of Case(1) | Proceeding or Appn. No. | Party or Parties  | TTAB Panel(2)  | Issue   | TTAB Decision  | Opposer's or Petitioner's Mark and Goods or Services | Applicant's or Respondent's Mark and Goods or Services   | Mark and Goods Cited by Examining Attorney | Examining Attorney | Citable as Precedent of TTAB |
|-------------|-----------------|-------------------------|---|--|---|--|--|--|--|--------------------|------------------------------|
| 5-27        | OPP (SJ)        | 91119790                | Time Warner Entertainment Co. L.P. v. Steinbeck Brewing Co., Inc. | Hanak Hairston Bottorff [Opinion "By the Board" (Wolfson)] | ownership; Section 2(a) [deception]; 2(e)(2) or 2(e)(3) [geographic descriptiveness or misdescriptiveness]; fraud | Opposition Sustained (opposer's motion for summary judgment granted) [on ownership ground only]  |  | "TASMANIAN DEVIL GOOD FOR DRINKIN' 'N DOG BITES" [beer and ale]  |  |                    | No                           |
| 5-28        | EX (RV)         | 75/678,255              | GoTo.com, Inc.  | Hairston Bottorff Drost*                                   | 2(e)(1)   | Request to Vacate Board's 2-26-03 Decision Granted (in view of express abandonment of application filed prior to issuance of Board's decision) |  | "PAY-FOR-PERFORMANCE ADVERTISING" [providing information directory services for a wide variety of topics and referrals to web sites that provide a wide variety of information, products and services; electronic transmission of data via a global computer communications network; providing multiple user access to a global computer communications network for information and data; electronic navigation services, namely, providing search engine services for obtaining data on a global computer communications network] |  | A. Long            | No                           |

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(2) \*=Opinion Writer; (D)=Dissenting Panel Member

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| 5-28        | EX              | 76/232,799              | Kustom Pak Foods, Ltd. | Seeherman Hohein* Chapman | 2(d)   | Refusal Affirmed |  | "E-Z GRILL" (and design) [pork, beef, chicken and turkey for use in sandwiches]   | "EASY GRILL" (and design) [frozen fish]  | de Jesus           | No                           |
| 5-28        | EX              | 76/204,766              | Dewey Data LLC         | Simms Hanak Drost*        | 2(d)   | Refusal Affirmed |  | "DITTODISK" [computer hardware and computer software which are both utilized for computer hard disk drive protection, duplication and recovery]   | "DITTO" [computer memory storage devices, namely, tape drives, computer memory storage controllers; computer memory storage tape cartridges] | Miller             | No                           |
| 5-29        | EX              | 75/232,739              | Leng-d'Or, S.A.        | Simms Seeherman Bucher*   | whether applicant's specimens show use of its mark in connection with the services recited in its statement of use | Refusal Affirmed |  | "LENG-D'OR" (and design) [commercial wholesale business management services in the field of snack food]   |  | Frye               | No                           |
| 5-29        | EX              | 76/047,277              | M. Rose Jonas          | Cissel* Quinn Chapman     | 2(d)   | Refusal Affirmed |  | "JOB DOCTOR" [educational services, namely, workshops, seminars, and lectures in the field of career counseling and distribution of course materials in connection therewith; career counseling services] | "THE JOB DR." [personnel placement and recruitment services in the field of computers and computer software]                                 | Brown              | No                           |

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|-------------|-----------------|-------------------------|----------------------------|---------------------------------|---|----------------------|---|---|--|--------------------|------------------------------|
| 5-29        | OPP             | 117,521                 | Mattel, Inc. v. Todd Mount | Cissel*<br>Holtzman<br>Bottorff | 2(d)  | Opposition Sustained | "SLIME" [freeflowing play gel; t-shirts and caps; computer services, namely, providing information through a global computer network in the field of toys, games, playthings, and collectible toys]; "SLIME-INATOR" [toy vehicles and accessories therefor, namely, play gel] | "SLIME LIGHTS" [electric decorative lights]             |  |                    | No                           |
| 5-29        | EX              | 75/174,567              | Infrared Solutions         | Cissel<br>Hanak*<br>Drost       | whether applicant's specimens or substitute specimens show use of its mark in connection with the services recited in its application | Refusal Affirmed     |   | "IR SnapPro" [infrared imaging services]                |  | Billings           | No                           |
| 5-30        | EX              | 75/866,321              | Calzificio FAP S.p.A.      | Simms<br>Hohein*<br>Hairston    | 2(d)  | Refusal Affirmed     |   | "BELLISSIMA BY CALZIFICIO FAP" (and design) [stockings] | "BELLISSIMO" (and design) [children's dresses] | Engel              | No                           |

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